

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ROBERT WEBB, et al.,

Plaintiffs,

v.

CV No. 19-229 SMV/CG

ALLSTATE INSURANCE COMPANY,

Defendant.

**ORDER DENYING MOTION TO BIFURCATE AND STAY
PLAINTIFF'S EXTRA-CONTRACTUAL CLAIMS**

THIS MATTER is before the Court on Defendant's *Motion to Bifurcate and Stay Discovery and Proceedings as to Plaintiff's Extra-Contractual Claims*, (Doc. 12), filed May 1, 2019, Plaintiffs' Response to the Motion, (Doc. 18), filed May 9, 2019, and Defendant's Reply to the Motion, (Doc. 19), filed May 13, 2019. The Court conducted a hearing on the Motion on May 16, 2019. After considering the Motion, Response, Reply, record of the case, relevant law, and argument of counsel, the Court finds the Motion shall be **DENIED** as to Defendant's request to stay discovery and all pretrial proceedings concerning Plaintiff's extra-contractual claims. Defendant may raise its request for a separate trial on Plaintiff's extra-contractual claims for consideration by the presiding judge at the appropriate time.

IT IS THEREFORE ORDERED that Defendant's *Motion to Bifurcate and Stay Discovery and Proceedings as to Plaintiff's Extra-Contractual Claims*, (Doc. 12), is **DENIED**.



THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE